

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
CYPRESS HOLDINGS, III, L.P., individually  
and derivatively on behalf of SPORT-BLX,  
INC.,

x

Plaintiff,

v.

GEORGE HALL, JOSEPH DE PERIO,  
DANIEL STRAUSS, FRANCIS  
RUCHALSKI, CESAR BAEZ,  
CHRISTOPHER JOHNSON, SPORT-BLX,  
INC., SPORT-BLX SECURITIES, INC.,  
CLINTON GROUP INC., and  
GLASSBRIDGE ENTERPRISES, INC.,

Defendants.

Civil Action No. 1:22-cv-1243-LGS

**DEFENDANTS' NOTICE OF  
MOTION TO DISMISS DERIVATIVE  
CLAIMS PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 23.1**

\_\_\_\_\_  
x

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law and the Declaration of Jonathan S. Sack dated October 27, 2023, with the exhibits annexed thereto, Defendants Sport-BLX, Inc. ("Sport-BLX"), Sport-BLX Securities, Inc., Clinton Group, Inc., George Hall, Cesar Baez, Christopher Johnson, GlassBridge Enterprises, Inc., Francis Ruchalski, Daniel Strauss, and Joseph De Perio, through their undersigned counsel, will move before the Honorable Lorna G. Schofield, United States District Judge, at 40 Foley Square, New York, New York 10007, on a date and at a time designated by the Court, for an order pursuant to Rule 23.1 of the Federal Rules of Civil Procedure dismissing the derivative claims alleged in the Second Amended Complaint of Plaintiff Cypress Holdings, III, L.P. ("Cypress") on the ground that Cypress does not fairly and adequately represent the interests of shareholders of Sport-BLX who are similarly situated in enforcing the rights of Sport-BLX, and for such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's memo endorsement dated October 13, 2023, Cypress's opposition papers shall be filed on or before November 17, 2023.

Dated: October 27, 2023  
New York, New York

MORVILLO ABRAMOWITZ GRAND  
IASON & ANELLO P.C.

By: /s/ Jonathan S. Sack  
Jonathan S. Sack  
Edward M. Spiro  
Joseph P. Klemme  
565 Fifth Avenue  
New York, NY 10017  
(212) 856-9600  
(212) 856-9494 (fax)

*Attorneys for Defendants Sport-BLX, Inc., Sport-BLX Securities, Inc., Clinton Group, Inc., George Hall, Cesar Baez, and Christopher Johnson*

LOEB & LOEB LLP

By: /s/ Christian D. Carbone  
Christian D. Carbone  
David A. Forrest  
345 Park Avenue  
New York, New York 10154  
(212) 407-4000

*Attorneys for Defendants GlassBridge Enterprises, Inc., Daniel Strauss, and Francis Ruchalski*

COLE SCHOTZ P.C.

By: /s/ David S. Gold  
David S. Gold  
25 Main Street  
Court Plaza North  
Hackensack, New Jersey 07601  
(201) 525-6305  
(201) 678-6305 (fax)

*Attorneys for Defendant Joseph De Perio*